IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

ITR No. 133 of 1996
Date of Decision: February 22, 2007

The Commissioner of
Income-tax Amritsar ..... *Revenue*

Versus

Teja Kala Co.Op.Labour
& Construction society ..... *Respondent*
Pathankot
Coram: *Hon'ble Mr.Justice M.M.Kumar*
Hon'ble Mr.Justice Rajesh Bindal

Present: Mr. Sanjiv Bansal, Advocate for the Revenue
None for the assessee.

M.M.KUMAR,J.

The Income Tax Appellate Tribunal,Amritsar Bench, Amritsar (for short `the Tribunal'), at the instance of revenue, has referred the following question of law for adjudication of this Court arising out of order passed by it in ITA Nos.777 & 778(ASR)/1994 for the assessment year 1990-91 and 1991-92:-

> "Whether, on the facts and in the circumstances of the case, the Tribunal was right in law in confirming the order of the learned first Appellate Authority granting exemption to the assessee Society under section 80P(2)(a)(vi) of the Income-tax Act, 1961? ".

For the reasons stated in our separate order passed today in ITR Nos. 401 and 402 of 1995, The Commissioner of Income-tax Amritsar vs. Gurdaspur Hardochhanni Co-op L/C Society Gurdaspur, the question referred is answered against the revenue and in favour of the assessee.

(M.M.Kumar)
Judge

(Rajesh Bindal)
Judge

February 22, 2007
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